

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Amendment of Part 97)	RM-10811
Of the Commission's Rules)	
To Revise Examination)	
Requirements and Improve)	
Testing)	

To: The Commission

COMMENTS OF JAMES M. TALENS

Pursuant to Section 1.405 of the Federal Communications Commission's (FCC or Commission) Rules, 47 C.F.R. §1.405, I, James M. Talens, hereby submit these Comments in the above-captioned proceeding, which generally proposes to strengthen the criteria under which certain classes of Amateur Radio Service licenses are granted. More specifically, the proposal, *inter alia*, seeks retention of Morse code testing in the licensing structure, with an increase in the Morse code testing speed for the Extra Class license to 12 words per minute ("wpm") and continuation of the 5 wpm Morse code requirement for the General Class license. It also seeks an increase in the required demonstration of competence in certain technical areas for both the Technician Class and Extra Class licenses. For the reasons explained below, I support the goals set forth by this petition and believe that the public interest would be served by the Commission issuing a Notice of Proposed Rulemaking in furtherance of the petition's proposals.

The Commission has been besieged of late by petitions to eliminate Morse testing as a licensing criterion in the Amateur Radio Service.¹ It is variously argued that such testing is antiquated or that it is too much of a burden for people today to learn Morse code. Neither of these arguments can be seriously justified other than for reasons of personal laziness by those having no patience for learning the most fundamental of radio communications skills as a prerequisite for obtaining spectrum utilization privileges. The collective impact of those petitioners, were their misguided efforts accepted, would remove an enormously important skill from the array of telecommunications capabilities available to the people of the United States in times of emergency. As has been noted by any number of commenters in all of these related proceedings, Morse code remains a technically advantageous mode that has been used and continues to serve as a last resort in times of local or national need. Loss of that skill at a national level, which would follow its removal as a mandatory adjunct to testing in the Amateur Radio Service, represents a regressive step in national emergency preparedness that should not be taken by the Commission. Indeed, the dumbing down of so many other academic and performance standards in our society highlights the need to strengthen the range of competences Amateur Radio operators must demonstrate in exchange for the spectrum privileges they are awarded.²

¹ See, e.g., RM-10781 through RM-10787.

² In today's licensing environment, there is a perceived "dumbing down" of the licensing requirements. Many former Citizen Band and lower level Amateur licensees wishing to secure authorization to use the entirety of scarce spectrum allocated to the Amateur Radio Service would be content to simply memorize a few rules and apply a general knowledge of communications technology. Eliminating CW testing would accelerate this trend and eventually dilute the integrity and capabilities of the Amateur Radio Service. See Comments of Potomac Valley Radio Club ("PVRC") in RM-10781 through RM-10787, at 3. It is quite true that not all Amateurs who learn Morse code to

Some have argued that the decrease in the number of newly licensed Amateur Radio operators over recent years would be slowed or even reversed were the Morse test removed. Were this argument even plausible, we would have witnessed over the last decade a large increase in the number of licensed Amateurs taking the Extra Class license since the Morse requirement was reduced to 5 wpm. But the facts clearly show a contrary result. Today, young people find greater attraction in computer games and mind-numbing attractions that have potentially more limited benefit for them and for society.

Yet there is a mystique that has attracted many thousands throughout the last century to the magic of radio. Increasingly, through efforts of the American Radio Relay League and myriad clubs throughout the United States, more young people are now learning the Morse code, and many are finding radio at least as compelling as the Internet. Whether such new trends can or will overcome the broader attraction of computer games remains a matter of speculation, but doubtless there continues to be an enduring interest in Amateur Radio and in learning and utilizing Morse code for communications.

The Morse code licensing requirement in Amateur Radio creates a uniquely qualified, nation-wide army of individuals prepared to further the Commission's seminal Basis and Purposes for the Amateur Radio Service: To provide for emergency communications and to expand "the existing reservoir within the amateur radio service of

obtain their licenses retain it or use it later. Rather, with mandatory Morse code testing there will be a continuing number of Amateurs who will use it sufficiently to retain it as a useful skill for times of need.

trained operators....”³ In the event of a national emergency, whether natural or man-made, we know that cellular and wireline telecommunications can be instantly overwhelmed. Data and voice radio systems, even within Amateur Radio, can also become overridden by interference, undermined by poor propagation or noise conditions or limited by lack of available emergency power. Morse code has a 7-12 dB benefit over those other modes,⁴ so that its use serves as the ultimate fallback capability for any national communications emergency preparedness requirement.

Although some percentage of Amateurs, even in a no-code testing environment, will continue to possess Morse skills, elimination of the Morse requirement will hasten an inexorable trend for Morse to decline and that skill to diminish on a nationwide basis and, ultimately, to disappear. Such a result is plainly not in the public interest, yet this will happen if Morse is not maintained as a mandatory testing element in Amateur Radio licensing.

Petitioners in this proceeding seek to strengthen the requirements for both Morse code proficiency and for technical competence as a prerequisite for licensure in the Amateur Radio Service. These requirements, including increasing the Morse requirement from 5 to 12 wpm for the Amateur Extra Class license and enhancing the range and depth of substantive examination for all license classes, would modernize the Amateur Radio Service, return integrity to its standards and assure the availability of communications volunteers throughout the nation who would be capable of operating under the most adverse of emergency conditions.

³ See 47 C.F.R. Section 97.1.

⁴ See Comments of PVRC, *id.* at 4.

For these reasons, the Commission should issue a Notice of Proposed Rulemaking containing the proposals set forth in the above-captioned petition.

Respectfully submitted,

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